## II. REMARKS

In the Communication issued November 24, 2003, the Office remarked that the Preliminary Amendment filed on October 2, 2003 was non-compliant in that it failed to meet the requirements of 37 C.F.R. § 1.121 as amended on June 30, 2003 because a complete listing of all the claims is not present. The Office noted that only the section of the non-compliant amendment must be submitted in reply to the Communication.

Applicants have submitted herein a complete listing of the claims as requested by the Office. Reconsideration and withdrawal of the objection is respectfully requested.

## III. CONCLUSION

No fee, other than a one month extension of time, is deemed necessary in connection with the filing of this Response. However, if the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 50-2518**, referencing billing no. 7000722001. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

DATE: January 22, 2004

Antoinette F. Konski

Registration No.: 34,202

Bingham McCutchen, LLP (formerly McCutchen, Doyle, Brown & Enersen, LLP) Three Embarcadero Center San Francisco, California 94111

Telephone: (415) 393-2000 Telefax: (415) 393-2286

> U.S. Serial No.: 09/715,764 Atty Dkt: USC 0739

Lubli